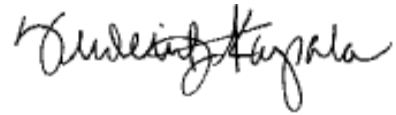


## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Frederick J. Kapala	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 50064	DATE	7/8/2008
CASE TITLE	Ware v. Pierce		

## DOCKET ENTRY TEXT:

Pursuant to Rule 60(a) of the Federal Rules of Civil Procedure, the court's minute orders of April 22, 2008, and May 2, 2008, are modified to reflect the additional strikes listed below.



■ [ For further details see text below.]

Docketing to mail notices.

## STATEMENT

In this court's April 22, 2008 order denying plaintiff's petition to proceed in forma pauperis, and in this court's May 2, 2008 order denying plaintiff's motion to alter or amend judgment, this court determined that plaintiff had "struck out" under 28 U.S.C. § 1915(g) based on Ware v. Bank One, No. 07 C 3964 (N.D. Ill. July 25, 2007) (one strike) and Ware v. Chicago Police Department, No. 07 C 6645 (N.D. Ill. Mar. 5, 2008) (two strikes). However, upon reconsideration only one strike should have been assessed for the two claims dismissed in Chicago Police Department. See George v. Smith, 507 F.3d 605, 608 (7th Cir. 2007) (plaintiff incurred one strike for filing a complaint in district court that contained multiple frivolous claims). Nevertheless, a review of the plaintiff's prior cases reflects at least three additional strikes. See Ware v. Sheahan, No. 04 C 6598 (N.D. Ill. Nov. 12, 2004); Ware v. Chambers, No. 07 C 2169 (C.D. Ill. Sept. 17, 2007); and Ware v. Randolph, No. 07 C 3013 (C.D. Ill. Feb. 8, 2007). Because plaintiff has incurred at least five strikes, the court remains satisfied that the plaintiff has "struck out" under 28 U.S.C. § 1915(g). Accordingly, the court's prior orders ruling that the plaintiff has accumulated at least three strikes stand, as modified.